

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

## PATENT APPLICATION

ATTORNEY DOCKET NO. 200316365-1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Chuck A. Black

Confirmation No.: 1425

Application No.: 10/761,088

Examiner: Brian J. Gillis

Filing Date: January 20, 2004

Group Art Unit: 2141

Title: NETWORK AND NETWORK DEVICE HEALTH MONITORING

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Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, August 22, 2008, rejecting the following claims 1-39

☒ The fee for filing this Notice of Appeal is \$510.00 (37 CFR 41.20).

☐ No Additional Fee Required.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month  
\$120

☐ 2nd Month  
\$460

☐ 3rd Month  
\$1050

☐ 4th Month  
\$1640

☐ The extension fee has already been filed in this application

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 510.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

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Date of facsimile: 09/29/2008

Typed Name: Jennifer L. Vornhof

Signature: 

Rev 10/07 (N/A:Appeal)

Respectfully submitted,

Chuck A. Black

By 

Edward J. Brooks III

Attorney/Agent for Applicant(s)

Reg No.: 40,925

Date: 09/30/2008 PCHOMP 00000002 082025 10761088

01 FC:1401 510.00 DA

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